



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,496	07/22/2002	Masaya Mori	JP920010178U	4853

25299 7590 11/12/2004

IBM CORPORATION

PO BOX 12195

DEPT 9CCA, BLDG 002

RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

AUVE, GLENN ALLEN

ART UNIT

PAPER NUMBER

2111

DATE MAILED: 11/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,496

Applicant(s)

MORI ET AL.

Examiner

Glenn A. Auve

Art Unit

2111

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2 and 5-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 is rejected because it is not clear what is meant by "after said second data input/output circuit outputs said data taken thereinto to said data bus, said second data input/output circuit outputs said data thereof to said data bus." Does this mean that the data is output twice to the data bus? Or is different data being output?

Claim 5 is rejected based on lack of positive antecedent basis of "said read instruction" on line 20.

Claims 6-10 are rejected because they depend on claim 5.

Claim 6 is also is rejected based on lack of positive antecedent basis of "the read instruction" on line 2.

Claim 8 is also is rejected based on lack of positive antecedent basis of "the write instruction" on line 2 and "the outside" on line 5.

Claim 11 is rejected based on lack of positive antecedent basis of "said output buffer" on line 10.

Claims 12-15 are rejected because they depend on claim 11.

Claim 12 is rejected based on lack of positive antecedent basis of "the data input/output circuit" on line 1.

Claim 16 is rejected based on lack of positive antecedent basis of "said first input/output circuit" on lines 2 and 3; and "said second data input/output circuit" on lines 4-5 and 6.

Claims 17 and 18 are rejected because they depend on claim 16.

Claim 17 is also rejected based on lack of positive antecedent basis of "said second input/output circuit" on lines 2,3 and 3-4.

Claim 18 is also rejected based on lack of positive antecedent basis of "said first input/output circuit" on lines 2 and 5; and "said second data input/output circuit" on line 3.

Drawings

3. Figure 4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance. Applicant has identified Fig. 4 as being for a conventional system which seems to imply that this is prior art.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker, U.S.

Pat. No. 6,127,849.

As per claim 1, Walker shows apparatus comprising: first and second data input/output circuits (402a and 402b), each of said circuits receiving data output from the other and releasing data stored therein; and a data bus (404) transferring data between said first and second data input/output circuits, wherein, upon data output being successively switched from said first data input/output circuit to said second data input/output circuit, said second data input/output circuit takes in data output from said first data input/output circuit and releases said data taken thereinto to said data bus (at least in col.8, line 47 – col. 9, line 65). Walker shows all of the elements recited in claim 1.

As for claim 2, the argument for claim 1 applies. Walker also shows that after said second data input/output circuit outputs said data taken thereinto to said data bus, said second data input/output circuit outputs said data thereof to said data bus (at least in col.8, line 47 – col. 9, line 65). Walker shows all of the elements recited in claim 2.

As for claim 3, the argument for claim 1 applies. Walker also shows that each of said first and second data input/output circuits includes: an output buffer (406) for outputting data thereof; an input buffer (408) for receiving data from the other data input/output circuit; and a relay line (line coupling input buffer 408 to the input line of the output buffer 406) joining said buffers for transferring said data to said output buffer, said data being output from the other data input/output circuit and being received by said input buffer (fig. 4 and col.8, line 47 – col. 9, line 65). Walker shows all of the elements recited in claim 3.

As for claim 4, the argument for claim 3 applies. Walker also shows that said output buffer outputs said data to said data bus, said data being output from the other data input/output circuit and being transferred from said relay line (fig. 4 and col.8, line 47 – col. 9, line 65). Walker shows all of the elements recited in claim 4.

Conclusion

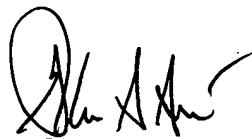
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The other cited references show input/output circuits and buffers and/or memory controllers.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn A. Auve whose telephone number is (571) 272-3623. The examiner can normally be reached on M-F 8:00 AM-5:30 PM, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (571) 272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2111

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Glenn A. Auve', is positioned above the printed name.

Glenn A. Auve
Primary Examiner
Art Unit 2111

gaa
November 9, 2004